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UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

12 OLYMPIC DEVELOPMENTS AG, LLC,

Case No. 4:11-cv-00329-SBA

Plaintiff,

V.

15 NINTENDO OF AMERICA INC.,

**JOINT STIPULATION AND
[PROPOSED] ORDER GRANTING
LEAVE TO FILE AMENDED
COMPLAINT AND WITHDRAWING
MOTION TO DISMISS**

Defendant.

**JOINT STIPULATION AND [PROPOSED] ORDER GRANTING LEAVE TO FILE
AMENDED COMPLAINT AND WITHDRAWING MOTION TO DISMISS**

Case No. 4:11-cv-00329-SBA

1. Plaintiff Olympic Developments AG, LLC originally filed this patent case against defendant Nintendo of America Inc. (“Nintendo”) in the Central District of California.

2. Before responding to Plaintiff's Complaint, and pursuant to the parties' stipulation, the Central District Court ordered that the case be transferred to the Northern District of California. (Doc. 43, 54). The case was received in the Northern District of California on January 25, 2011. (Doc. 56.)

3. After the matter was reassigned to the Honorable Saundra Brown Armstrong, on February 18, 2011, Nintendo moved to dismiss Plaintiff's claims of indirect infringement. (Doc. 68.) Nintendo's motion is currently calendared to be heard on June 7, 2011.

4. Prior to and following the filing of Nintendo's motion, the Parties met and conferred on the relief requested in Nintendo's motion to dismiss. The parties now jointly request that the Court grant leave to allow Plaintiff to amend its complaint to remove the allegations of indirect infringement as shown in Exhibit 1 attached hereto within fourteen days of the date this Stipulation is approved by the Court.

5. The Parties further stipulate and agree that Nintendo shall withdraw its motion to dismiss without prejudice upon the Court's approval of this Stipulation and Plaintiff's filing of the amended complaint which is attached as Exhibit 1.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

6. Pursuant to Civil L.R. 6.2(a), the Declaration of Steven W. Ritchenson setting forth the reasons for the extension accompanies this Joint Stipulation and [Proposed] Order.

IT IS SO STIPULATED.

Dated: May 10, 2011

WHITE FIELD, INC.

By: /s/ Steven W. Ritchenson
Steven W. Ritchenson
Attorneys for Plaintiff Olympic
Developments AG, LLC

BAKER & MCKENZIE LLP

By: /s/ D. James Pak
D. James Pak
Attorneys for Defendant
Nintendo Of America Inc.

Dated: _____

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 6/1/11

Sandra B. Armstrong

Hon. Saundra Brown Armstrong
~~Magistrate~~ Judge of the United States
District Court, Northern District

SIGNATURE ATTESTATION

Pursuant to General Order 45.X(B), I hereby attest that concurrence has been obtained from the above-named counsel indicated by a “conformed” signature(s) within this e-filed document.

/s/ Steven W. Ritcheson

Steven W. Ritcheson